

REMARKS

Upon amendment, Claims 1-4 and 6-14 are pending in this application. Claims 21-23 have been canceled herein without prejudice.

Applicants respectfully reserve the right to pursue any non-elected, canceled or otherwise unclaimed subject matter in one or more continuation, continuation-in-part, or divisional applications.

Reconsideration and withdrawal of the rejections of this application in view of the amendments and remarks herewith, is respectfully requested, as the application is in condition for allowance.

Applicants respectfully thank the Examiner for finding claims 6-14 allowable if rewritten in independent form. Based on the amendments and remarks made herein, Applicants believe such rewriting is no longer required.

Rejections Under 35 U.S.C. § 112, First Paragraph

Claim 21-23 are rejected under 35 U.S.C. §112, First Paragraph, as allegedly failing to comply with the enablement requirement, particularly with respect to treatment of the various conditions recited.

While Applicants strongly disagree with the Examiner's allegation, and solely for the purpose of advancing prosecution, Claims 21-23 have been canceled without prejudice. As such, the rejection to these claims is moot.

Applicants respectfully request that the rejections of the claims under 35 U.S.C. § 112, First Paragraph be withdrawn.

Double-Patenting Rejection

Claims 1-4 are provisionally rejected on the grounds of non-statutory obviousness-type double patenting over Claims 1-21 of co-pending U.S. Patent Application Serial No. 10/527,391.

Without conceding the validity of the Examiner's rejections, Applicant submits herewith a duly executed Terminal Disclaimer in compliance with 37 C.F.R. §1.321(c) over U.S. Patent Application Serial No. 10/527,391, thereby obviating the provisional obviousness-type double patenting rejection.

Accordingly, Applicant respectfully requests withdrawal of the provisional obviousness-type double patenting rejection.

CONCLUSION

In view of the amendments and remarks made herein, Applicant submits that the application is in condition for allowance. Favorable reconsideration of the application and prompt issuance of a Notice of Allowance are respectfully requested. If a telephone conference with Applicant's representative would be helpful in expediting prosecution of the application, Applicant invites the Examiner to contact the undersigned at the telephone number indicated below.

Applicants believe that no additional fees are required for consideration and entry of this paper. However, Applicants authorize the Director to charge any required fee or credit any overpayment to Deposit Account No. 04-1105, under Order No. 82154(303989).

Dated: June 11, 2009

Respectfully submitted,

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